

Minutes of the regular meeting of the Big Plains Water and Sewer Special Service District, Washington County, Utah that was held on the 3rd day of July, 2013 at the Smithsonian Fire Department Building, 1777 N. Meadowlark Dr., Apple Valley, Utah.

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Neil Duncan, Jack Davis, Mayor Moser, and Harold Merritt were present. Kevin Sair was excused. Dale Harris was present. Nathan Bronemann took minutes. Legal Counsel was excused. Josh Nowell of Ensign Engineering was present.
4. Declarations of conflict of interests

Mayor Moser declared a conflict with agenda item #13 as a part owner of Plains, LLC.

Harold Merritt declared a conflict with agenda item #13 as a part owner of Plains, LLC.

5. Discussion and possible action on accepting a new user to the system – Erik and Amy Alkema

Amy Alkema said they had received a verbal agreement from Amy Black to run the water line across her property. She said they still needed to get a signed easement.

Mayor Moser said that with that easement they should be good to move forward. He clarified that there was a 100-foot wide easement for the existing main water lines in that area.

Josh Nowell delivered documents to the board for the Alkema's to sign.

Motion made by Mayor Moser to accept the Alkema's request to be added to the system pending their payment of fees and delivering a signed easement agreement. Jack Davis seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

6. Discussion and action on the 2012-2013 amended annual budget

Mayor Moser explained that the Town had already prepared and adopted the budgets, but that the board needed to formally adopt the budget.

Motion made by Mayor Moser to adopt the 2012-2013 amended budget. Jack Davis seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

7. Discussion and action on the 2013-2014 annual budget

Motion made by Neil Duncan to adopt the 2013-2014 annual budget. Mayor Moser seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

8. Discussion and action on pre-qualification application for construction, and bid notice

Josh Nowell explained that the prequalification process would eliminate anyone the board was not comfortable with. He said it allowed the board to score each of the contractors and only the

prequalified (highest scoring) contractors would be able to submit bids. He gave the board a copy of the proposed prequalification process. He explained the contents of the paperwork.

Mayor Moser recommended that the motion be made in the next meeting to start the posting and prequalification process.

Motion made by Mayor Moser to put this item on the next agenda to start the posting and prequalification process. Jack Davis seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

9. Discussion on past due bill with Cedar Point Water Company – John Peay

John Peay explained that they had a rental home and that the renters had just moved out. He said the renters had never received a water bill from Jerry Eves in over a year. He said that he did not feel that it was fair that he have to pay for the past due water bill of over \$600.

Jack Davis asked if his lease agreement required them to pay the water bill.

John Peay said the lease agreement said they had to switch all bills into their name, but that they would not pay for the water.

Harold Merritt suggested that the people that used the water should be notified that they are responsible to pay for the water used.

John Peay said they had written a letter asking them to pay for their water used but he didn't know if they would pay.

Harold Merritt explained that the board could not forgive the past due balance of one account without forgiving the past due balances of other accounts.

Mayor Moser said the rules and regulations of the district dictated that they could set up a payment plan for past due balances. He said they could waive finance charges to help.

10. Acquisitions – Harold Merritt

Nothing to report.

11. Funding – Kevin Sair

Nothing to report.

12. Operations – Neil Duncan

Dale Harris reported that Jerry Eves knowingly sold the District an aquifer that is going dry. He said that Jerry Eves had cut the valve way back to keep the pump from cavitating. He said that is what caused the pump to fail. He said Jerry Eves had reported that the well would produce 116 gal/min. Mr. Harris said the pump could only pump at about half of that rate when operating at full capacity.

Mayor Moser asked that specific names not be used.

Dale Harris recommended adding an additional 20 feet to the well to avoid future cavitation. He said they were just waiting for the pump to arrive to make the repairs.

Dale Harris asked if he could order the telemetry equipment.

Mayor Moser said it may take 30 days for the funds to be released, but that there wouldn't be an issue with paying for the equipment.

Motion made by Mayor Moser to allow the telemetry equipment to be ordered. Neil Duncan seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

13. Resource Management – Mayor Moser

- a. Discussion and action on taking over the lease of two State well sites and one tank site from Plains, LLC

Mayor Moser again declared a conflict as owner of Plains, LLC, who is currently in the lease with the State. He said Plains was willing to turn the lease over to the District. He said Rod Mills of Ensign Engineering said the lease would be a positive asset to the District.

Jack Davis asked about the condition of the wells.

Mayor Moser said the wells were operational.

Harold Merritt said that if the District did not want the lease, the existing tanks would likely be scrapped.

Motion made by Neil Duncan to table this item until next meeting. Mayor Moser seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

14. Development – Jack Davis

Nothing to report.

15. Review of Policies and Procedures

Josh Nowell said Rod Mills had prepared a procedure for obtaining water and sewer service from the District. He said the procedure outlined the requirements from the District as well as a developer in order to provide new services. He read through the proposed procedure.

Motion made by Mayor Moser to schedule a public hearing for the next meeting for the next meeting on this new procedure. Neil Duncan seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

16. Sewer

- a. Discussion and possible action on Town/District sewer policy

Nothing to discuss.

17. Consent Calendar - Income and Expenses

Motion made by Mayor Moser to adopt the consent calendar. Jack Davis seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

18. Consider approval of minutes:

a. June 19, 2013 Regular Meeting Minutes

Motion made by Mayor Moser to approve the June 19, 2013 regular meeting minutes.

Jack Davis seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

19. Request for a closed session

None requested.

20. Adjournment

Motion made by Mayor Moser to adjourn the meeting. Jack Davis seconded the motion. Vote: Jack Davis-yes, Mayor Moser-yes, Neil Duncan-yes, Harold Merritt-yes. The motion passed 4/0.

Meeting adjourned at approximately 7:02 PM.

Date approved: _____

ATTEST BY: _____
Nathan Bronemann

Chairman Harold Merritt